

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4047 of 2017

Arising Out of PS.Case No. -55 Year- 2016 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

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1. Bhagat Yadav, S/o Yadu Yadav, R/o village- Garib Shahi, P.S-
Bathwariya, District- West Champaran. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 30-03-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Chautarwa
(Bathwariya) P.S. Case No. 55 of 2016 registered for the offences
punishable under Sections 363, 364 and 365 of the Indian Penal
Code.

Allegedly, the petitioner and other co-accused came at
the house of the informant and took away Ramchandra Yadav, the
uncle of the informant thereafter, the motorcycle of uncle of the
informant was found and later on his dead body was also
recovered.

Submission is of false implication and that besides
suspicion there is nothing against the petitioner. During
investigation nothing has come, chargesheet has already been
submitted and there is no chance of tampering with the



prosecution evidence. Similarly situated co-accused Chhota Yadav has already been allowed bail vide Criminal Miscellaneous No. 30628 of 2016 by another co-ordinate Bench of this Court and, as such, the petitioner also deserves sympathetic consideration.

The learned A.P.P. fairly submits that Chhota Yadav has been allowed bail.

In the facts and circumstances stated above, the petitioner, above named, is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Bettiah, West Champaran in connection with Chautarwa (Bathwariya) P.S. Case No. 55 of 2016 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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